

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

Michael Damon Rippo,

Case No. 2:07-cv-00507-APG-VCF

Petitioner,

v.

ORDER

William Gittere, et al.,

Respondents.

In this capital habeas corpus proceeding, petitioner Michael Rippo has filed a notice of voluntary dismissal under Fed. R. Civ. P. 41(a)(1)(A)(i). ECF No. 90. Respondents have not filed an answer or a motion for summary judgment, so the notice must be given effect. *See Am. Soccer Co. v. Score First Enterprises, a Div. of Kevlar Indus.*, 187 F.3d 1108, 1112 (9th Cir. 1999).

I THEREFORE ORDER this case dismissed without prejudice.

DATED THIS 23rd day of February, 2021.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE